

Closure of the procedure in respect of application No. 05702725.2 - 1218

12.05.08

✓

1. The procedure in respect of the above application is closed for the following reason:

ADWI 11/01.02.08 The time limit under Rule 112(2) EPC has expired.  
No request for a decision under Rule 112(2), or for further processing under  
Article 121 EPC or for re-establishment of rights under Article 122 EPC has  
been filed.

✓

2. The EPASYS situation has been verified in respect of item 1:

DFIL: 19.01.05  
NOAP: ////  
RDEC: ////  
RFPR: //  
REES: ////

REFU ~~X~~ADWI ~~X~~ and DEAD 1 coded. Date of legal effect ~~05/08/07~~ <sup>07/08/07</sup> ~~XXX~~

✓

3. Position regarding fees:

DEST03	005	00551507	23.08.06	EUR	560,00
EXAM02	006	00551507	23.08.06	EUR	1 192,00
FFEE01	020	00551507	23.08.06	EUR	95,00
RFEE 03	033	00166293	31.01.07	EUR	400,00

☐ 3.1 Form 2058A submitted to 1st examiner (if applicable)

☐ 3.2 Refund(s) ordered:

☐ 75% Exam fee

☐ Other fees: \_\_\_\_\_

✓

4. Mark "DEAD" on the paper file and:

- ☐ Check whether a divisional application is pending and if so attach the DEAD file to it.
- ☐ Any **models** still in the Office's possession were returned on \_\_\_\_\_  
(for dealing with models, please refer to Fil d'Ariane).
- ☐ Submit it to 1st examiner if a request for feedback is present.
- ☐ Keep paper file in file store (separate place) until next action for file destruction.

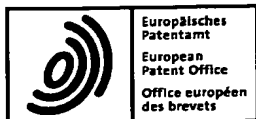
14-06-2008

Cipolla, Loredana

Date

Formalities Officer

To 1st examiner/Director for information : Lehnert A room C04D58



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Bosma, Rudolphus Hubertus Antonius  
Philips  
Intellectual Property & Standards  
P.O. Box 220  
5600 AE Eindhoven  
PAYS-BAS

For any questions about  
this communication:  
Tel.: +31 (0)70 340 45 00

Date
05.03.08

Reference PHNL040056EP2	Application No./Patent No. 05702725.2 - 1218
Applicant/Proprietor Koninklijke Philips Electronics N.V.	

**Notice drawing attention to Rule 51(2) EPC, Article 2 No. 5 of the Rules relating to Fees,  
- Payment of the renewal fee plus additional fee -**

The renewal fee for the 04. year fell due on 31.01.08 unless this date falls within the period covered by an interruption of the proceedings in accordance with Rule 142(1) EPC, or a request for re-establishment of rights is pending (Art. 122, R. 51(4) EPC).

The amount of the renewal fee on that date was **EUR 425,00** (see current Schedule of fees and costs).

**The renewal fee was not paid by the due date.**

The renewal fee may still be validly paid **up to the last day of the sixth calendar month** following the due date, provided that the additional fee (10% of the renewal fee) is paid at the same time.

Within the above period, which cannot be extended, the following fees are to be paid:

Renewal fee for the 04. year:	EUR	425,00
Additional fee:	EUR	42,50
		-----
TOTAL AMOUNT	EUR	467,50

**If the renewal fee and the additional fee are not paid in due time, the European patent application shall be deemed to be withdrawn (Art. 86(1) EPC).**

**Note to users of the automatic debiting procedure**

The normal time limit for payment of the above renewal fee had already expired when the automatic debit order was received. The renewal fee and the surcharge will be debited automatically on the last day of the six-month period (Supplement to OJ EPO 10, 2007).

**For the Examining Division**



**Note**

The Schedule of fees and costs of the EPO is published periodically as a Supplement to the Official Journal of the EPO. The current version is also available on the EPO website, together with a link to the [epoline®](#) facilities for viewing and downloading fees and searching for individual fees, both current and previous.

**+++ ATTENTION +++**

New amounts of procedural fees apply as from 01.04.2008 (see OJ EPO 2008, 5).

If the renewal fee with additional fee is paid on or after 01.04.2008 the additional fee amounts to 50% of the belated renewal fee (cf. Art. 2.5 RFees, as applicable from 01.04.2008, OJ EPO 2008,5).



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Date  
01-02-2008

Reference PHNL040056EP2	Application No./Patent No. 05702725.2 - 1218
Applicant/Proprietor Koninklijke Philips Electronics N.V.	

#### Noting of loss of rights (R. 69(1) EPC)

The European Patent application is deemed to be withdrawn under Article 96(3) EPC, because the invitation to file observations on the communication from the Examining Division dated 25.01.07 was not complied with.

#### Request for decision

If the applicant considers that this finding is inaccurate, he may, within (a non-extendable period of) **two months** after notification of this communication, apply in writing for a decision on the matter by the European Patent Office (R. 69(2) EPC). The application can only lead to the finding being reversed, if this does not actually correspond to the factual or legal situation.

#### Further processing of the application

The legal consequence that the application is deemed withdrawn will be retracted if within (a non-extendable period of) **two months** after notification of this communication further processing of the European patent application under Article 121 EPC is requested in writing, the fee for further processing is paid in accordance with the Rules Relating to Fees, and the omitted act is completed.

#### For the Examining Division





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Date

11-09-2007

Reference PHNL040056EP2	Application No./Patent No. 05702725.2 - 1218
Applicant/Proprietor Koninklijke Philips Electronics N.V.	

### BRIEF COMMUNICATION

Subject: ☒ Your letter of 31/07/07 + 31/08/07

☐ Our telephone conversation of

☐ Communication of

☐

Enclosure(s): ☐ Letter from the proprietor of the patent of

☐ Letter from the opponent of

☐ Copy(copies)

☒ Communication:

A refund of 75% of the examination fee is no longer possible since the substantive examination has already begun (Art. 10b(b) RFees). Please inform the EPO whether you wish to maintain your notice of withdrawal.

If you do not reply to this communication, examination proceedings will continue.

Please file observations **within a period of 2 months.**

This period begins on notification of this letter.

For the Examining Division



Marjory De Bock

Registered letter  
EPO Form 2912 05.02 06.09.07

MS02995

# PHILIPS

## Philips Intellectual Property & Standards

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E-mail: daan.damen@philips.com

Ref: PHNLO40056 EP  
Date: August 31, 2007

European Patent Application nr.: 05702725.2

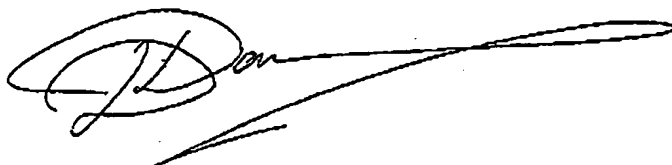
1. Conditional withdrawal (WDRA) of Application
2. Unconditional withdrawal of automatic debit order (DECA)

I hereby withdraw the above-mentioned EP Patent Application, on the condition that any fee is refunded.

It is understood that if no refund is possible, the application is not withdrawn.

The automatic debit order from deposit account 28090021 is herewith unconditionally revoked.

The Professional Representative,



Ir. D.M. Damen  
Philips Intellectual Property & Standards  
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5656 AA Eindhoven, The Netherlands  
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Fax. +31 40 274 34 89  
Commercial Register Eindhoven no. 17047664



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Date  
08-08-2007

Reference PHNL040056EP2	Application No./Patent No. 05702725.2 - 1218
Applicant/Proprietor Koninklijke Philips Electronics N.V.	

**Revocation of the automatic debit order**

**Application No. 05702725.2**

Your letter of 31.07.2007 revoking the automatic debit order for your deposit account No. 28090021 was received on 31.07.07.

**The automatic debit order for the above application thus ceased to be effective as from that date.**



**PHILIPS**

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Ref: PHNL040056 EP *2*  
Date: July 31, 2007

European Patent Application nr.: 05702725.2

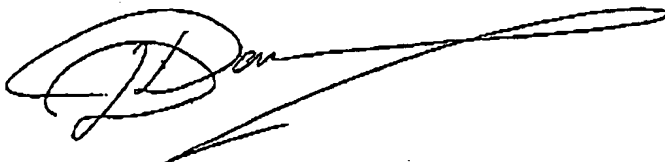
1. Conditional withdrawal (WDRA) of Application
2. Unconditional withdrawal of automatic debit order (DECA)

I hereby withdraw the above-mentioned EP Patent Application, on the condition that any fee is refunded.

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The Professional Representative,



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Date  
14.06.07

Reference PHNL040056EP2	Application No./Patent No. 05702725.2 - 1218
Applicant/Proprietor Koninklijke Philips Electronics N.V.	

#### Extension of time limit pursuant to Rule 84 EPC

##### Examination procedure

With reference to your request, the time limit for replying to the communication dated 25.01.07 has been extended

by 2 months

to a total of 6 months

from the date of notification of the above-mentioned communication.

Please note: To the extent that your request exceeded the above extension, your request has been refused.

##### Note:

The granting of extensions to time limits is governed by the implementing Regulations to the EPC and the Guidelines for Examination in the EPO, part E-VIII, 1.6.

If no reply to the communication is received in due time, the European patent application will be deemed to be withdrawn (Article 96(3) EPC).

Examining Division





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Sender:

Cornelis Gravendeel  
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#### LETTER ACCOMPANYING SUBSEQUENTLY FILED ITEMS

The document(s) listed below is (are) subsequently filed documents pertaining to the following application:

Application number

05702725.2

Applicant's or representative's reference

PHNL040056EP2

	Description of document	Original file name	Assigned file name
1	Request for extension of time limit during examination procedure	NL040056EP2_Ext.pdf	EXRE92-1.pdf

	Fees	Factor applied	Fee schedule	Amount to be paid
--	------	----------------	--------------	-------------------

	Payment	
1	Mode of payment	Not specified

#### Annotations

##### Statement

The undersigned hereby declares that the subsequently filed items do NOT contain or are NOT intended to contain any communication relating either to an appeal or to an opposition (OJ EPO 2003, 609: ".....This possibility is not yet available in opposition and appeal proceedings; in such proceedings, therefore, the electronic filing of documents is not admissible.").

#### Signatures

Place: Eindhoven  
Date: 24.May 2007  
Signed by: NL, Philips IP&S, C. Gravendeel 907  
Capacity: (Representative)

## Philips Intellectual Property & Standards

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E-mail:  
ruud.bosma@philips.com

Ref: PHNL040056EP2  
BOSM/MvB  
Date: 2007-05-24

Re: European Patent Application No. 05 702 725.2 - 1218  
Koninklijke Philips Electronics N.V.

We herewith request an extension of the time limit for responding to the above-mentioned application by two months.

The Professional Representative,

R.H.A. Bosma



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### Acknowledgement of receipt

We hereby acknowledge receipt of the following subsequently filed document(s):

Submission number	235289	
Application number	EP05702725.2	
Date of receipt	24 May 2007	
Receiving office	European Patent Office, The Hague	
Your reference	PHNL040056EP2	
Applicant	Koninklijke Philips Electronics N.V.	
Number of applicants	1	
Documents submitted	package-data.xml	epf1038.pdf (1 p.)
	ep-sfd-request.xml	EXRE92-1.pdf\NL040056EP2_Ext.pdf (1 p.)
Submitted by	CN=C. Gravendeel 907,O=Philips IP&S,C=NL	
Method of submission	Online	
Timestamp of receipt	24 May 2007, 15:19:48 (CEST)	
Digest	BA:C4:F5:BC:19:D4:1D:FC:2C:CA:2F:12:E9:6C:4B:E4:36:12:EF:4E	

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Directorate General 2

Direction Générale 2

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Telephone numbers: Branch at The Hague

Primary Examiner +31 70 340-4234  
(substantive examination)

Formalities Officer / Assistant +31 70 340-0  
(Formalities and other matters)



Application No. 05 702 725.2 - 1218	Ref. PHNL040056EP2	Date 25.01.2007
Applicant Koninklijke Philips Electronics N.V.		

#### Communication pursuant to Article 96(2) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(1) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

**of 4 months**

from the notification of this communication, this period being computed in accordance with Rules 78(2) and 83(2) and (4) EPC.

One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (Rule 36(1) EPC).

**Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Article 96(3) EPC).**



Lehnert, Andreas  
Primary Examiner  
for the Examining Division

Enclosure(s): 1 page/s reasons (Form 2906)

**Bescheid/Protokoll (Anlage)**

Datum  
Date 25.01.2007  
Date

**Communication/Minutes (Annex)**

Blatt  
Sheet 1  
Feuille

**Notification/Procès-verbal (Annexe)**

Anmelde-Nr.:  
Application No.: 05 702 725.2  
Demande n°:

The examination is being carried out on the **following application documents**:

**Description, Pages**

1-5 as originally filed

**Claims, Numbers**

1-4 as originally filed

**Drawings, Sheets**

1/1 as originally filed

A Written Opinion of the International Searching Authority has already been drawn up for the present application in accordance with the PCT. The deficiencies mentioned in that report give rise to objections under the corresponding provisions of the EPC (see below):

Reference is made to the following documents:

- D1 : PATENT ABSTRACTS OF JAPAN vol. 2003, no. 12, 5 December  
2003 (2003-12-05) -&; JP 2003 297284 A (OSRAM MELCO TOSHIBA  
LIGHTING KK), 17 October 2003 (2003-10-17)  
D2 : EP 0 010 991 A (WESTINGHOUSE ELECTRIC CORPORATION) 14 May 1980  
(1980-05-14)

The present application does not meet the requirements of Article 52(1) EPC, because the subject-matter of claims 1-4 is not new in the sense of Article 54(1) and (2) EPC:

Document D1 discloses a high pressure metal halide discharge lamp using sodium and scandium halides and BaMgAl<sub>10</sub>O<sub>17</sub>:Eu as blue emitting phosphor.

Document D2 discloses (see page 7, lines 9-29) a high pressure sodium discharge lamp, the inner surface of the outer envelope is covered with a blue-emitting alkaline-earth metal halophosphate activated by divalent europium.



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Date

20.09.06

Reference  
PHNL040056EP2

Application No./Patent No.  
05702725.2 - 2111 PCT/IB2005050226

Applicant/Proprietor  
Koninklijke Philips Electronics N.V.

### Notification of European publication number and information on the application of Article 67(3) EPC

The provisional protection under Article 67(1) and (2) EPC in the individual contracting states becomes effective only when the conditions referred to in Article 67(3) EPC have been fulfilled (for further details, see information brochure of the European Patent Office "National Law relating to the EPC" and additional information in the Official Journal of the European Patent Office).

Pursuant to Article 158(1) EPC the publication under Article 21 PCT of an international application for which the European Patent Office is a designated Office takes the place of the publication of a European patent application.

The bibliographic data of the above-mentioned Euro-PCT application will be published on 18.10.06 in Section I.1 of the European Patent Bulletin. The European publication number is 1711957.

In all future communications to the European Patent Office, please quote the application number plus Directorate number.

Receiving Section





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Date 14-09-2006

Reference PHNL040056EP2	Application No./Patent No. 05702725.2 - 2111 PCT/IB2005050226
Applicant/Proprietor Koninklijke Philips Electronics N.V.	

#### Communication pursuant to Rules 109 and 110 EPC

##### (1) Amendment of application documents, especially the claims (R. 109 EPC)

The above mentioned international (Euro-PCT) application has entered the European phase, or can do so, once the necessary conditions are fulfilled.

Under Articles 28, 41 PCT, Rules 52, 78 PCT and Rule 86(2) to (4) EPC, the applicant may amend the application documents after receiving the international search report.

**Whether or not he has already done so, he now has a further opportunity to file amended claims or other application documents within a non-extendable time limit of one month after notification of the present communication (R. 109 EPC).**

The claims applicable on expiry of the above time limit, i.e. those filed on entry into the European phase or in response to the present communication, will form the basis for the calculation of any claims fee to be paid (see page 2) and for any supplementary search to be carried out under Article 157(2) EPC (R. 109 EPC).

--2/



**(2) Claims fees under Rule 110 EPC**

If the application documents on which the European grant procedure is to be based comprise more than ten claims, a claims fee shall be payable for the eleventh and each subsequent claim within the period provided for in Rule 107(1) EPC.

- ☒ Based on the application documents currently on file, all necessary claims fees have already been paid (or the documents do not comprise more than 10 claims).
- ☐ All necessary fees will be/have been debited automatically according to the automatic debit order.
- ☐ The claims fee due for the claims ..... to ..... were not paid within the above-mentioned period.

Any non-paid claims fee, either based on the current set of claims or on any amended claims to be filed pursuant to Rule 109 EPC (see page 1), may still be validly paid within a non-extendable period of grace of **one month** after notification of this communication.

If a payment is made for only some of the claims, it must be indicated for which claims it is intended. If a claims fee is not paid in due time, the claim concerned is deemed to be abandoned (R. 110(4) EPC).

If claims fees have already been paid, but on expiry of the above-mentioned time limit there is a new set of claims containing fewer fee-incurring claims than previously, the claims fees in excess of those due under Rule 110(2), 2nd sentence, EPC will be refunded (R. 110(3) EPC).

You are reminded that any supplementary search under Article 157(2) EPC will relate only to the last set of claims applicable on expiry of the above time limit AND will be confined to those fee-incurring claims for which fees have been paid in due time.

**The fee for the eleventh and each subsequent claim is EUR 45,00.**

Receiving Section

